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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

THE HAUSNER GROUP (also known as
HAUSNER GROUP, LP), a Delaware limited
partnership, HARVEY H. HAUSNER, TRUST
F/B/O ALEXANDRA E. HAUSNER CAVE,
KATHY HAUSNER GROSSMAN, as trustee and
as an individual, ELLEN J. WERTHEIM, as
trustee, and ALEXANDRA E. HAUSNER CAVE,

Defendants.

Adv. Pro. No. 10-04699 (SMB)

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL OF
ADVERSARY PROCEEDING WITHOUT PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually (“Madoff”), by and through his counsel, Baker & Hostetler LLP, and defendants The Hausner Group (also known as Hausner Group, LP), Trust f/b/o Alexandra E. Hausner Cave, Kathy Hausner Grossman, Ellen J. Wertheim, and Alexandra E. Hausner Cave (collectively, “Defendants”), by and through their counsel, Kudman Trachten Aloe LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 1, 2010, the Trustee filed and served the Complaint against Defendants, and others [Dkt. No. 1].

2. On April 25, 2014, Defendants served an answer on the Trustee [Dkt. No. 26].

3. Harvey H. Hausner, who was named as a defendant in the Complaint, was deceased at the time the Complaint was filed.

4. Hilda Hausner, who was named as a defendant in the Complaint, has been dismissed from the action pursuant to a Stipulation and Order Dismissing Defendant filed on June 5, 2015 [Dkt. No. 29].

5. In accordance with Federal Rule of Bankruptcy Procedure 7041, and Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the Parties hereby stipulate to a dismissal without prejudice of the Trustee’s Complaint in the above-captioned adversary proceeding and dismissing the adversary proceeding.

6. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

7. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: June 5, 2015

Of Counsel:

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Attorneys for Defendants

SO ORDERED:

By: /s/ STUART M. BERNSTEIN
HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE

Date: June 8th, 2015